

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PATRICK DONOHUE, Individually and on Behalf of **S.J.D.**,
a Student with Disabilities;

ANGELA NOLAN Individually and on Behalf of **S.N.**,
a Student with Disabilities in New York State;

MARIE FARRELL Individually and on Behalf of **E.F.**,
a Student of New York City; and
all Others Similarly Situated,

Plaintiffs,

CASE NO.: 21 - CV -

-against-

**PROPOSED ORDER
TO SHOW CAUSE**

KATHLEEN HOCHUL, in her official capacity as
Governor of New York;

BILL de BLASIO, in his official capacity as
the Mayor of New York City;

HOWARD ZUCKER, in his official capacity as
the New York State Commissioner of Health;

BETTY ROSA, in her official capacity as the New York
State Commissioner of Education;

LESTER YOUNG, JR., in his official capacity as
Chancellor of the New York State Board of Regents;

MEISHA PORTER, in her official capacity as the
Chancellor of New York City Department of Education;

DAVE CHOKSHI, in his official capacity as
Commissioner of New York City Department of Health;

NEW YORK DEPARTMENT OF HEALTH;

NEW YORK DEPARTMENT OF EDUCATION;

NEW YORK BOARD OF REGENTS;

NEW YORK CITY DEPARTMENT OF EDUCATION;

NEW YORK CITY DEPARTMENT OF HEALTH;

Defendants.

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Upon Plaintiffs' Memorandum of Law in Support of a Preliminary Injunction, dated
October 13, 2021, the Complaint filed in this matter and exhibits attached thereto, it is

ORDERED, that the above-named Defendants shall show cause before the

Hon. _____, United States District Judge, at Room _____, at the United States Courthouse, located at 500 Pearl Street, in the County of New York, and State of New York, on the _____ day of _____ at _____ o'clock in the _____ noon of such day, or as soon thereafter as counsel may be heard, why an order should not issue pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the Defendants' mask mandates, the State of New York's mask mandate and the City of New York's mask mandate, as applied to elementary and secondary school students throughout the City and State of New York respectively, as set forth more fully in Plaintiffs' Memorandum of Law and Complaint submitted herewith, and it is further

ORDERED that personal service, or service by _____, of a copy of this Order and the annexed documents upon the Defendants or their counsel on or before _____ o'clock in the _____ noon, of _____, shall be deemed good and sufficient service thereof.

Dated: _____, 2021
New York, New York

Hon.
United States District Judge